

REMARKS

Claims 34-37, 42-45, 66-69, 77 and 85-91 were examined in the Office Action under reply. Claims 45, 69 and 88-91 are considered allowable and claims 34-37, 42-44, 66-69, 77 and 85-87 remain rejected under 35 U.S.C. §103(a).

Applicants note with appreciation the withdrawal of the previous rejection of claims 34, 35, 37, 42, 43, 45, 66, 67, 69, 77 and 85-88 under 35 U.S.C. §112, first paragraph.

Applicants submit for reasons of record that the rejected claims are allowable over the cited art. Nevertheless, all pending claims now recite either the presence of SEQ ID NO:6 or SEQ ID NO:7. The Examiner indicated the “prior art does not appear to teach or suggest the vector of SEQ ID NO: 6, or the specific protein sequence of SEQ ID NO: 7.” Office Action, page 7. Accordingly, all pending claims are believed to be in condition for allowance.

Applicants reiterate their request that claims 80-82, drawn to methods of making the cell line of claim 77 (Group IV) and claims 83 and 84 drawn to methods of using the cell line of claim 77, be rejoined and examined upon allowance of claim 77 drawn to the cell line of Group IV.

CONCLUSION

In light of the above remarks, Applicants submit that the present application is fully in condition for allowance. Early notice to that effect is earnestly solicited.

If the Examiner contemplates other action, or if a telephone conference would expedite allowance of the claims, Applicants invite the Examiner to contact the undersigned.


The Commissioner is hereby authorized to charge any fees and credit any overpayment of fees which may be required under 37 C.F.R. §1.16, §1.17, or §1.21, to Deposit Account No. 18-1648.

Please direct all further written communications regarding this application to:

Marcella Lillis, Ph.D.
Novartis Vaccines & Diagnostics
Intellectual Property - R440
P. O. Box 8097
Emeryville, CA 94662-8097
Tel: (510) 923-8406
Fax: (510) 655-3542

Respectfully submitted,

Date: 3/27/07

By: 
Roberta L. Robins
Registration No. 33,208
(650) 493-3400

Novartis Vaccines & Diagnostics
Intellectual Property - R440
P. O. Box 8097
Emeryville, CA 94662-8097